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ROBERT A. VAN NEST

July 29, 2011

The Honorable William Alsup  
U.S. District Court, Northern District of California  
450 Golden Gate Avenue  
San Francisco, California 94102

Re: Oracle America, Inc. v. Google Inc., No. C 10-3561 WHA

Dear Judge Alsup:

I write in brief reply to Oracle's opposition to the precis letter filed by Google yesterday evening, to correct a misleading statement by Oracle. Oracle claims that the parties discussed the Lindholm document, which is at issue in the precis, during a conference with Magistrate Judge Ryu on the morning of the *Daubert* hearing. However, that hearing was telephonic, so Google did not see a copy of the document to which Oracle had referred. Indeed, when Google requested the document production numbers for the document Oracle referenced during the hearing, Oracle was unable or unwilling to provide them to Google.

Sincerely,

s/  
Robert A. Van Nest